

**LAND USE COMMITTEE**  
Council of the County of Maui

**MINUTES**

**January 8, 2014**

**Site Inspection**

**CONVENE:** 10:01 a.m.

**PRESENT:** Councilmember Robert Carroll, Chair  
Councilmember Gladys C. Baisa, Member  
Councilmember Elle Cochran, Member  
Councilmember Donald G. Couch, Jr., Member  
Councilmember Stacy Crivello, Member (arrived 10:07 a.m.)  
Councilmember Michael P. Victorino, Member  
Councilmember Mike White, Member (arrived 10:07 a.m.)

**EXCUSED:** Councilmember Don S. Guzman, Esq., Vice-Chair  
Councilmember G. Riki Hokama, Member

**STAFF:** Carla Nakata, Legislative Attorney  
Scott Jensen, Legislative Analyst  
Jordan Molina, Legislative Analyst  
Clarita Balala, Committee Secretary

Kit Zulueta, Communication Director  
Morris Haole, Executive Assistant to Councilmember Robert Carroll  
Sarah Pajimola, Executive Assistant to Councilmember Elle Cochran

**ADMIN.:** Jo-Ann Ridao, Director, Department of Housing and Human Concerns  
David Goode, Director, Department of Public Works  
Michele McLean, Deputy Planning Director, Department of Planning  
Danny Dias, Planner, Department of Planning

**OTHERS:** Stanford Carr, Stanford Carr Development, LLC  
Jay Nakamura, Stanford Carr Development, LLC  
Doug Takamiya, Stanford Carr Development, LLC  
Colleen Suyama, Senior Associate, Munekiyo & Hiraga, Inc.  
Michael Kujubu, Architect, Alakea Design Group, LLC  
Michael Packard, Traffic Engineer, SSFM International, Inc.  
Fiona van Ammers, Senior Project Engineer, SSFM International, Inc.  
Erik Fredericksen, Archaeologist, Xamanek Researches, LLC

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Ricky Cassiday, Data@Work  
Mike Miyabara, Landscape Architect, Miyabara Associates LLC

Paul Laub  
David Hayden  
Mark Allen  
Naomi Guth  
Connie Sutherland  
Michele Lincoln  
John Wright  
Uilani Kapu  
Keeaumoku Kapu  
Carmie Spellman  
Mark Eberly  
Chad Keahi  
Clarence Peters  
Suzie Miller  
Steve Franz  
Joe Pluta  
Hans Michel  
Ruth McKay  
Randy Arbol  
Kehaulani Kahawai  
Herman Naole  
Clare Apana  
Others (6)

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**ITEM NO. 3(2): AFFORDABLE HOUSING PROJECTS (CHAPTER 201H,  
HAWAII REVISED STATUTES) (KAHOMA VILLAGE  
SUBDIVISION) (CC 13-36)**

The Committee assembled on the mauka side of Front Street, where it intersects with the Kahoma Kai Stream Bridge, on the side of the bridge opposite Lahaina Cannery Mall (south side of Kahoma Channel), TMK: (2) 4-5-008:001.

Chair Carroll convened the site inspection to allow the Committee members an opportunity to view the subject property and the surrounding area.

The developer displayed an oversized site plan of the project.

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Twenty-two individuals testified.

Paul Laub said he had read the Environmental Impact Statement (“EIS”) in its entirety. The EIS states all the schools are overcrowded, but that the project, with over 200 homes, will not have a negative effect on schools. He said that’s not possible. The EIS states there will be no effect on medical facilities, but a certificate of need has been issued for the west side. There is a need for better medical facilities on the west side. The EIS states there will be no effect on the public going to Baby Beach, but Baby Beach goers have traditionally parked on this parcel and now signs have been put up that nobody can park there. It would be great to put a bathroom on the property. Assuming three cars per household, with traffic already tied up on Kapunakea and the end of Front Street, there will be problems. No adequate provision has been made for bike lanes nor is there adequate mitigation for runoff, drainage, or tsunamis. Mr. Laub also submitted his testimony in writing.

Mark Allen said he lives at Kaahanui Place, which is one of the three side streets running off of Puunoa Place. His is an old residential neighborhood in Lahaina. He said many families in the neighborhood have been here for generations. He would like to see the project not proceed. He would rather see a park here. But, practically speaking, he understands the need for ongoing residential housing. His two greatest concerns are the density of the development, which he asked be reduced substantially, and the placement of the large ingress/egress on Front Street directly across from Puunoa Place. He noted this ingress/egress has already been moved once away from Ala Moana Street based on objections from area residents. He has signed petitions from a majority of his neighbors objecting to the design. He is requesting the Committee require the developer to relocate this approach to Kenui Street. Puunoa Place is a substandard street with only 15-foot-wide streets. He noted there are no sidewalks and traffic turning into Puunoa Place often has to stop. He said the project would funnel the bulk of pedestrian traffic from the development onto their non-pedestrian-friendly streets. He has not spoken to anyone in his neighborhood who is comfortable with the ingress/egress across Puunoa Place. If the project must move forward, he implored the Committee to force the developer to mitigate the inconveniences and hazards that the project would cause his neighborhood.

Naomi Guth said she is a homeowner at Puunoa. She shared the same concerns expressed by Mr. Allen and noted the traffic is really bad. She asked the Committee not to fast-track the project. She asked the Committee to consider all of the issues at hand.

Connie Sutherland lives on Puunoa Place. She asked that the developer find a different location for ingress/egress. The current location is directly across from the only entrance/exit for her neighborhood. She said the developer’s location will prevent her neighborhood from making left-hand turns going north to the cannery and make it difficult to make a right-hand turn also. Her existing neighborhood has a total of 25 residences and a church. The proposed development is overwhelming to the neighborhood. She asked that the project not be fast-tracked and the

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ingress/egress opposite Puunoa Place be changed. The Puunoa neighborhood is a cul de sac neighborhood with a single access.

Steve Franz, Principal of King Kamehameha III Elementary School on Front Street, said he is concerned about the project's impacts on his school. This development would be in his school district, so the kids from the project would be going to his school. He asked whether the project is being coordinated between the County and the State, since the State is the entity to build and fund schools. He asked who is expected to occupy the homes and whether residents on the west side would move in or whether the population on the west side would be increasing as a result of the project. He also asked what a realistic opening date of the development would be.

John Wright said he is a homeowner who uses Puunoa Place to get in and out. He asked how the EIS got approved when the document is totally subjective. He said there are numerous aspects that are not addressed in the EIS. What about the archaeological and cultural aspects? How can the project be fast-tracked and the developer ignore traffic? He said it seems the EIS is a joke. He said people need to be held accountable and the review needs to be objective. He said generally you need to consider eight vehicle trips per day per household, which would mean 1,600 cars (trips). He said that any new development should provide the least amount of impact on existing neighborhoods and the people who live there.

Uilani Kapu said the project needs to be downsized and reviewed more. She said a project that is exempt from a lot of considerations that are important to the community does not help the community. She asked that the impact on schools and the community be considered. She also asked about impacts of the project on the ocean and reefs and traffic, suggesting the Committee seriously consider these elements.

Keeaumoku Kapu referred to an article in the news about a year and a half ago about a deep-sink harbor that was going to be in this area. He asked what the developer's intentions are. He said the impacts of the project must be seriously considered. He said the County has dealt with fast-track developments before, which require a decision within 45 days or the development automatically passes. He said the community doesn't want this project. He questioned whether the project is for the benefit of people who live in west Maui. If it's to benefit the host culture and the people who live here, then it's fine.

Carmie Spellman said she lives at the Front Street Apartments. She said she realizes there is a 45-day period to decide on the application. She said she is pro-development, but only when development is done sensibly. She said yesterday they grubbed and cut down little trees and grass, which increased the dust. She found the hazard of a tsunami area has never been addressed appropriately. She thinks the developer was looking at the wrong map, a Federal Emergency Management Agency map. She said this is a tsunami area and is a hazard to all who live here. She said the project should not be built here.

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Mark Eberly said he lives on Puunoa Place, and his grandmother's family owns almost the whole block. There was a fish pond where the "Jesus is Coming Soon" sign is, which was taken away when they built Mala. This area was left alone because it is considered a flood zone area. He said the little white bridge is the drainage that goes down to Baby Beach. There used to be kala, uhu, and manini here. Now, there's nothing. Once the beach was put on a tourist map, the reef was wiped out. He said he loves affordable housing; it helps the locals, and that's great. He said the entrance by his street will worsen project impacts. He said if the developer puts dirt in to raise the project area for flood control, flood water will head toward homes in his neighborhood. He suggested reducing the project by one half and using the rest of the property for flood control.

Chad Keahi said he lives on Puunoa Place and has owned his home for 43 years. He asked how everybody will get out if there's a tsunami. He said this is in a flood zone. When it rains, water floods down his street; there are no storm drains. He asked the Committee to think about storm drainage and traffic.

Clarence Peters stated when school gets out, from 2:30 to 4:00, it is difficult to exit the area. He said people are lucky to get out of Kapunakea Street in two traffic lights. He said Puunoa Place is one way in and one way out. On a Friday or Saturday, he said he already has people parking in his front yard, and 200 more homes aren't going to help his neighborhood.

Suzie Miller said she lives on Puunoa Place. She said she knows how tough it is to get in and out of Puunoa Place. She said she has nothing against affordable housing but the project will impact their community. She asked the Committee to see if the developer can't help them in some way.

Michele Lincoln said the project should not be able to get approval because laws will be violated. Infrastructure must precede development. It has been two years since approval of the Kahoma residential project, yet no improvements have been made to infrastructure, including schools. She said the County cannot guarantee water for the project and there is a lack of adequate infrastructure and water meters today. She questioned sewage capacity for the project and noted the ocean is being affected by the Lahaina Wastewater Reclamation Facility. She said the Community Plan designates the property as Multi-family and Park. She said the Park designation is more environmentally and culturally appropriate, and that the public trust is better served by the Park designation. She noted storm-water runoff is an issue and there is no guarantee Mala and the marine whale sanctuary will be safe. She said a recent study shows Mala is at its pollutant load and Mala is important for recreational and cultural purposes. She said the Kahoma Village project is in the coastal zone management area. She referenced the Kauai Springs case and said the four standards in that case need to be reviewed before a decision is made. She said an applicant who seeks approvals for economic gain is subject to higher scrutiny. She said the project does not meet the criteria provided by law, and submitted a copy of her testimony in writing to the Committee.

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Joe Pluta noted he had submitted written testimony in support of the project. He said the project has been worked on for more than two years. He also noted attempts by the developer to communicate with and get comments from the community. He noted legitimate concerns about safety, saying the developer has gone the extra mile to make sure measures are being taken to address this issue. He commended the developer for the amount of communications already done. He said the developer will have another meeting in Lahaina tomorrow to ask for input.

Hans Michel said he has nothing against the project. He said he is concerned with flooding from the highway. He said the road slightly tilts toward Pizza Hut. The State Department built culverts under the highway. They broke up Hinau Street and put pipe across it. He said when water overflows, it goes down Hinau Street, then onto Front Street. He said the storm drain going toward the ocean has been blocked up for years. He doesn't think water will go into the flood channel, which looks higher than the ground here.

Ruth McKay said she has been an owner here on Maui for at least 40 years. She said she is a west side person and wants to move into town. She said she wants to be close to the churches, stores, restaurants, and medical facilities. She said the project has been on the books for years. She said to make provisions that will make people in the surrounding area happy and let people have some housing in town.

Randy Arbol said he has been living at the Front Street Apartments for 13 years. He said storm drains along Kenui Street aren't really storm drains. Instead, the water flows into the Front Street Apartments. He said there is a retention basin, and it takes about four days to get it pumped down. He said he will speak for Weinberg, who provided funds and land for the Front Street Apartments.

Kehaulani Kaawai said she is returning to Lahaina and wanted to testify about kuleana lands. She said the Committee is standing on kuleana lands. She said the land here was loi kalo and it is important to know how this is reflected in the development.

Herman Naeole said he is a native of this side of the island. He said to stop spoiling Lahaina, which is a historical town. He said he understands there are many needs for people on this side of the island for homes. He said the more homes there are, the more cars there will be. Before more homes are added here -- homes that shouldn't be on our kupuna's land -- an alternate route should be provided.

Clare Apana said she has spoken to the developer and is not satisfied with the answers she received. She asked whether it was correct that the Kahoma Channel still belongs to the property owner and that it was never transferred to the County. She did speak to several people from the Army Corps. She said the route of the stream was changed, which is against water laws. She said Mala Bay is greatly impacted. She said many people have spoken about the limu

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and fish that used to be here. She said the people's cultural rights are legally protected. She said in her research, there is a very sacred heiau here, and that night marchers come through the property. She said she has made the development team aware of lineal descendants from this land and according to law, she believes the archaeologist should be looking for lineal descendants also.

David Hayden said he counted about 20 against and 3 for the project. He said he wants to unite the opposition and start a coalition.

There being no further testifiers, the Chair closed public testimony at 11:00 a.m.

Colleen Suyama oriented the Committee to the site, noting the borders of the property. She said the project proposes access off Kenui Street directly across Nakeli Place, and a second access directly across Puunoa Place. The project consists of a total of 203 housing units, a portion of which are single-family residential units and a portion of which are multi-family units. She described the clustered single-family units proposed along the exterior of the project area. She noted the middle area of the project would consist of carriageway homes with service streets at the back of the homes. The project would also allow parking along one side of the frontage street. The 102 multi-family units would be structured with 6 units per building. Proposed parks consist of one main central park and two mini-parks. A portion of the main park will be used as a drainage retention basin. Other parts of the project will have subsurface drainage.

Stanford Carr said the property has been owned by the Weinberg Foundation for 40 years. The Weinberg Foundation asked Stanford Carr Development, LLC to look at its land holdings because the Foundation annually gifts \$100 million to charitable causes. The property has A-1 Apartment zoning, which would permit up to 400 plus units to be built. Since this is the last infill property along Front Street in Lahaina town, the Foundation felt it should be made affordable to households from all income brackets.

The Chair requested comments be limited to those germane to the site.

Mr. Carr described the structures proposed on the site, noting proposed density is about 10 units per acre. He also introduced the resource personnel who were present.

The Director of Housing and Human Concerns said she did not have much to add. She said the Department does the review and makes sure the project complies with the application checklist. Once that has been accomplished, the Department works with the Chair to file the application. The application was filed on December 30, and the Council has 45 days to approve or disapprove the project.

The Deputy Planning Director noted the Department of Planning reviewed the environmental documents and is working with Committee staff on the zoning exemptions being

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requested. Should the project be approved by the Council, the applicant would need to file a Special Management Area permit application that will need to be reviewed by the Maui Planning Commission.

The Director of Public Works said he will be happy to answer any technical questions regarding traffic and drainage, as well as requested exemptions, at the Council Chamber. If the project does get approved by the Council, the Department will process construction plans, detailed drainage plans, and building, plumbing and electrical permits for the project.

Councilmember Victorino referenced testimony relating to flooding and the tsunami evacuation zone. He said he thinks we need to look at those issues more carefully. He asked the traffic engineer to answer some of the questions brought up at the site inspection, including why access across Puunoa Place was chosen.

Michael Packard introduced himself as the traffic engineer on the project. He discussed the 2011 traffic counts and supplemental traffic counts. He said the ingress/egress was originally laid out across Mala Wharf and Ala Moana Street, but concerns regarding the location, including boat traffic, were raised, and the developer decided it was better to line the access up with Puunoa Place. He said the developer understands the Puunoa residents have concerns. During peak times, approximately 20 vehicles come out of Puunoa Place. The analysis proved wait time to be acceptable. Therefore, no mitigation has been proposed at this access point. Front Street in this area is a 20 mile-per-hour road. He noted with the conveniences in the area, the project location would encourage biking and walking for local residents.

Councilmember Victorino asked whether any thought had been given to a roundabout or traffic signal to ensure people waiting to exit Puunoa Place would have an opportunity to exit.

Mr. Packard responded that both of those options were evaluated. The analysis showed a traffic signal was not warranted and could actually worsen conditions. A roundabout was not supported because of insufficient space.

Councilmember Couch noted a roundabout would not need to be centered and questioned traffic counts.

Mr. Packard summarized where traffic counts were done. He acknowledged concerns with Kapunakea and noted much of those concerns are due to the entrance to Safeway and its proximity to Honoapiilani Highway. He said those concerns need to be mitigated through likely traffic signal retiming or optimization. The developer hopes that with the Lahaina Bypass and future extensions of the Bypass, traffic will be alleviated along Honoapiilani Highway. He acknowledged that a roundabout can be offset but that the preferred method is to have it centered. The intent is to deflect vehicles so they slow down. The stop-sign control allows people to enter and exit with allowable delay.

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Council Chair Baisa questioned the statistic of eight vehicle trips per day per household.

Mr. Packard agreed that eight vehicle trips per day per household comports with the national standard. He said most people who are noting congestion are noting it during peak commute hours. He said the approximate number of trips that would be added by national guidelines would be 120 trips in the morning and 150 trips in the afternoon. He noted this estimate does not take into account living in an urban community such as this with commercial amenities close by.

Councilmember Cochran asked whether the Maui Bus would service the project because there are no bus stops along the outer rim of the development.

Mr. Packard said he wasn't sure he could address the question, but said there are bus stops rather close to the development.

Councilmember Cochran asked whether the Kahoma Stream originally ran through the project site.

Mr. Carr said his recollection is that the Kahoma Stream improvements done in the 1980s improved the existing floodway alignment and channelized it.

Councilmember Cochran asked for confirmation whether this was the site of the original Alamihi Pond.

Mr. Carr confirmed it was not. He said the actual Alamihi Pond is located where the County sewer pump station is located today. This land was cultivated in sugar cane back in the 1800s by Pioneer Mill.

Councilmember Couch asked whether any consideration had been given to moving the original access point so it goes straight out onto Wainee Street.

Mr. Packard said that was the original consideration, but the grade from Honoapiilani Highway down to Kenui Street is pretty significant, so it wasn't an appropriate solution due to line-of-sight concerns.

Councilmember Couch asked whether there was an option for a pedestrian access, pointing to the site plan (appeared to have been on the other side of the Kahoma Stream Bridge).

Mr. Carr responded that was a great idea and they would be happy to accommodate that.

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Councilmember Cochran asked whether part of the proposed park area could be made a dedicated right-hand turn from Honoapiilani Highway.

Mr. Packard said if you look along Honoapiilani Highway there are no right-turn lanes off of the highway. To match the cross-section, it was not considered an option.

There being no further questions or discussion, Chair Carroll adjourned the inspection at 11:28 a.m.

APPROVED:



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ROBERT CARROLL, Chair  
Land Use Committee

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